

**JOINT**

**APPLICATION  
FOR  
UNITED STATES LETTERS PATENT**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**BE IT KNOWN, that I/we,**

**John A. Bramley, Hinesburg, VT  
Karen L. Plaut, Los Gatos, CA  
David Kerr, Charlotte, VT**



02/28/02

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# CHOATE, HALL & STEWART

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## EXCHANGE PLACE

## 53 STATE STREET

BOSTON, MASSACHUSETTS 02109-2804

TELEPHONE (817) 248-5000 • FAX (817) 248-4000

[WWW.CHOATE.COM](http://WWW.CHOATE.COM)

BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Express Mail No.: EL744191872 US  
Attorney Docket No.: 2001796-0005 CIP  
Date Filed: February 28, 2002

**UTILITY PATENT APPLICATION TRANSMITTAL**

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle)      Family Name or Surname      Residence

A. John.	Bramley	Hinesburg, VT
Karen L.	Plaut	Los Gatos, CA
David	Kerr	Charlotte, VT

**Title of the Invention TREATMENT OF STAPHYLOCOCCUS INFECTIONS**

#### A) APPLICATION ELEMENTS:

- 1)  **Fee Transmittal Form** (original and duplicate submitted for fee processing)

2)  **Applicant Claims Small Entity Status** (see 37 CFR §1.27)

a)  Statement Verifying Small Entity Status (unexecuted)

3)  **Specification** TOTAL PAGES: 44

-Descriptive Title of the Invention (Cover Sheet – 1 pg.)

-Cross References to Related Applications (if applicable)

-Statement Regarding Federally Sponsored R & D (if applicable)  
-Background of the Invention  
-Summary of the Invention  
-Description of the Drawing (if filed)  
-Detailed Description of the Invention  
-Claim(s)  
-Abstract of the Invention

4)  **Drawing(s)** (35 U.S.C. § 113)      TOTAL SHEETS: 20

a)  Formal Drawings (if checked)

5)  **Oath or Declaration**      TOTAL PAGES: 3

a)  Newly Executed (original or copy)

b)  Copy from a prior application (37 C.F.R. § 1.63(d))-for continuation/divisional application

i)  Deletion of inventor(s): Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

c)  Unexecuted

6)  **Application Data Sheet**. See 37 CFR 1.76.

7)  **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8)  **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

a)  Computer Readable Form (CRF)

b)  Specification Sequence Listing on:

i)  CD-ROM or CR-R (2 copies); or

ii)  Paper (14 pages)

c)  Statements verifying identity of above copies (1 pg)

d)  Amendment Introducing Sequence Listing (1 page)

B) ACCOMPANYING APPLICATION PARTS:

- 9)  **Assignment Papers** (unexecuted; cover sheet & document(s)) (3 pages)
- 10)  **37 C.F.R. § 3.73(b) Statement** (unexecuted, 2 pages)
- 11)  **Power of Attorney** (unexecuted, 1 page);
- 12)  **English Translation Document** (if applicable)
- 13)  **Information Disclosure Statement (IDS)/PTO-1449**
- 14)  **Copies of IDS Citations**
- 15)  **Preliminary Amendment and attachments (TOTAL OF 162 PAGES), consisting of: (a) Preliminary Amendment (16 pages); Version with Marking to Show Changes Made (8 pages); Exhibits A-H (14 pages); and References (124 pages).**
- 16)  **Return Receipt Postcard (MPEP 503)** (specifically itemized)
- 17)  **Certified Copy of Priority Document(s)** (if foreign priority is claimed)
- 18)  **OTHER:** (if applicable, specified below)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

CONTINUATION       DIVISIONAL       CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: 09/337,079  
FILED: JUNE 21, 1999  
EXAMINER: WOITACH, J.  
GROUP/ART UNIT: 1632

**FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** THE ENTIRE DISCLOSURE OF THE PRIOR APPLICATION, FROM WHICH AN OATH OR DECLARATION IS SUPPLIED AS DETAILED ABOVE, IS CONSIDERED A PART OF THE DISCLOSURE OF THE ACCOMPANYING CONTINUATION OR DIVISIONAL APPLICATION AND IS HEREBY INCORPORATED BY REFERENCE.

D.) PRIORITY CLAIM(S):

This application claims the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

09/337,079	June 21, 1999	Pending
Application Number	Filing Date	Status

PCT Applications designating the United States:

PCT/US99/14073	June 22, 1999	Abandoned
Application Number	Filing Date	Status

This application claims the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application(s):

06/090,175	June 22, 1998	Expired
Application Number	Filing Date	Status

E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

Applicant claims small entity status 37 CFR §1.27

A check is enclosed to cover the filing fees as determined on the fee transmittal enclosed herewith

The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number 03 1721

F) CORRESPONDENCE ADDRESS:

Customer Bar Code Label:



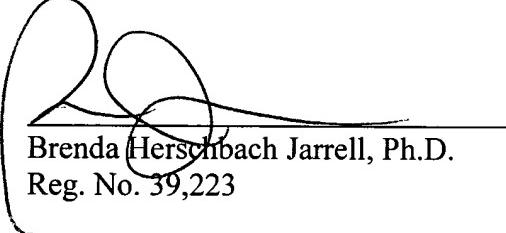
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PATENT TRADEMARK OFFICE

Correspondence Address:

Brenda Herschbach Jarrell, Ph.D.  
Choate, Hall & Stewart  
53 State Street  
Exchange Place  
Boston, MA 02109  
Telephone: (617) 248-5000  
Facsimile: (617) 248-4000

Respectfully Submitted,



Brenda Herschbach Jarrell, Ph.D.  
Reg. No. 39,223

CHOATE, HALL & STEWART  
53 State Street  
Exchange Place  
Boston, MA 02109  
Telephone: (617) 248-5000  
Facsimile: (617) 248-4000